

Conservation Development

Proposed Amendment of
17.12.090 Cluster Lot Option

The Presentation will begin momentarily

Welcome

Housekeeping

- Please keep yourself muted unless you are speaking
- How to raise your “hand”
- Chat
- Recording

Cluster Lot Option

- Planning Commission requested staff to review
- Evaluated how this section of Zoning used in development
- Engagement with 3 focused stakeholder groups
 - Neighborhood Leaders
 - Development Community
 - Advocacy Organizations
- MPC work sessions
- Draft for review and comment in late summer 2021

Stakeholder Feedback

The existing Cluster Lot Option:

- Results in lots that are too different from surrounding area
- Does not create enough open space, or created open space that didn't protect natural areas
- Gives too much flexibility in lot size without requiring meaningful enough open space
- Standards are confusing and unorganized

The cluster lot option needs a mission statement, so standards can be tailored to achieve a primary goal, rather than trying to do too much with one tool.



Conservation Focus

- Sensitive environmental features contribute to Nashville's unique character. They provide environmental services such as stormwater management and can also contribute to the beauty and interest of neighborhoods.
- Acknowledging that existing zoning allowances cannot be changed except by a Councilmember or the owner of the property, a zoning tool that permits flexibility of design can help protect features that might otherwise be disturbed.
- The current cluster lot option tool is partially intended to provide environmental protection, but it includes additional requirements and goals that can sometimes be incompatible with conservation of sensitive areas.
- Different kinds of development patterns, or smaller lots, may be more palatable to communities if they feel that the open space included in a cluster or conservation development protects valuable sensitive features in a meaningful way.

Guiding Principles

- Keep It Focused
- Housekeeping—reorganize the standards
- Create open space standards geared toward environmental protection
- Link flexibility of design to the quality and protection of the open space

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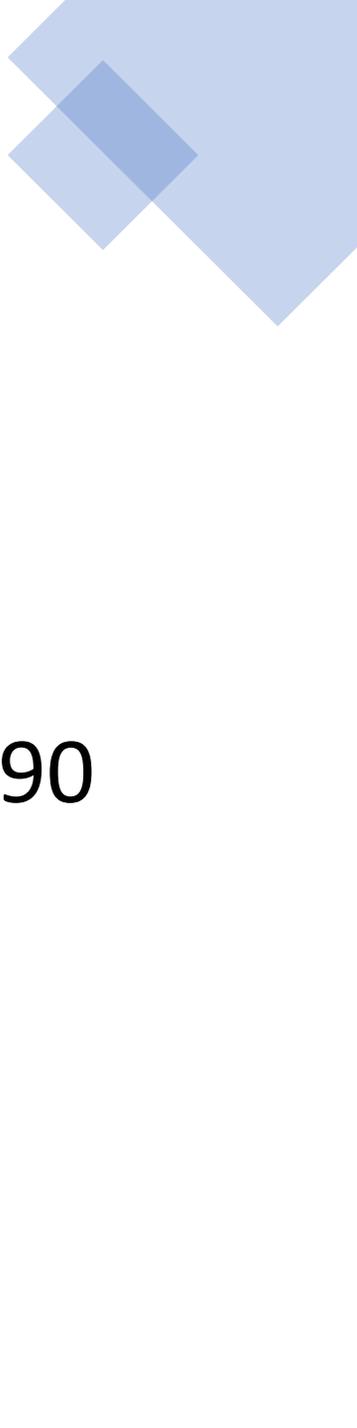
Proposed Amendment of
17.12.090 Cluster Lot Option



Zoning Code Amendment

Remove section 17.12.090
Cluster Lot Option

Replace with section 17.12.090
Conservation Development



Conservation Development February 2022

- Purpose is to protect natural areas
- A site must have natural area as defined to qualify
- Establishes a requirement for the preservation of these areas by not permitting disturbance in a natural area preserved in open space
- Lot size flexibility is directly linked to the conservation of natural areas
- Defines natural areas and outlines who manages, etc.

Current Cluster Lot Option

- Optional Standard
- 15% open space minimum
- Natural area undefined
- Preservation not required
- Stormwater features permitted in the open space created to meet the minimum standard

Proposed Conservation Development

- Required Standard if criteria met
- 10/20% open space minimums
- Natural areas defined
- Preservation required – no disturbance
- Stormwater features created in open space will not count toward lot size flexibility

As defined in this proposed amendment

Natural Areas are:

- Areas shown on FEMA maps as part of the **100 year floodplain** or identified in local studies as confirmed by Metro Stormwater;
- All perennial and intermittent **streams**, floodways, and associated buffers, as determined by Metro Stormwater or the State;
- Areas of **natural slopes** of 20% or greater of at least 10,000 square foot contiguous area;
- Areas containing **problem soils** as established by Section 17.28.050;
- **Wetlands**, as determined by Metro Stormwater;
- Known **habitat** for federally or state listed or proposed rare, threatened, or **endangered species**;
- Areas containing a protected **Cedar Glade** plant species as established by Section 17.28.060;
- **Archaeological** or **historic sites, cemeteries**, and burial grounds; or
- Protected, heritage and historic and specimen **trees**, as defined by Section 17.40.450 of the Metro Zoning Code.

	Current Cluster Option	Proposed Conservation Development
Purpose and Intent	<ul style="list-style-type: none"> • Creation of common open space • Provide flexibility of design • Permits clustering of lots to allow open space <p>(no prioritization)</p>	<ul style="list-style-type: none"> • Preservation of natural areas in open space • Provide flexibility of design • Requires creation of lots on less sensitive areas <p>(prioritizes and preserves environmental features)</p>
Applicability	<p>Optional if: R/R-A, RS/RS-A 10x base zoning</p>	<p>Required if: R/R-A, RS/RS-A 10x base zoning 10% site natural area</p>
Maximum Yield	<p>Assign 15% to infrastructure 85% of gross acreage divided by base zoning minimum</p>	<p>Assign 20% to infrastructure 80% of gross acreage divided by base zoning minimum</p>

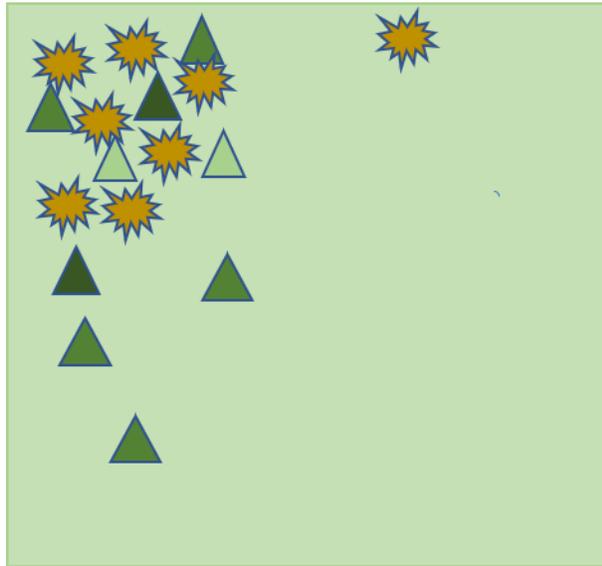
	Current Cluster Option	Proposed Conservation Development
Open Space	<ul style="list-style-type: none"> • 15% minimum open space • No indication of what is in or out of open space • Recreational facilities required but undefined 	<ul style="list-style-type: none"> • Set aside natural areas first • If less than 20% of the site is defined natural areas, all the natural area must be undisturbed and in open space • If more than 20% of the site is defined natural areas, may elect to set aside more. Any set aside must be undisturbed if to be credited toward lot size flexibility • Can provide open space for other purposes (rec, stormwater, etc.) but do not get more flexibility • Adds clear standards for what is permitted or prohibited in open space, ownership and management • No recreation facility required
Flexibility of Design	<p>Maximum of 2 zoning district lot size reduction</p> <p>Perimeter lots 90%</p>	<p>Lot size may be reduced an equivalent % to the % undisturbed open space</p> <ul style="list-style-type: none"> • Can't reduce below 3,750sf • Applies bulk standards of closest equivalent zoning district

	Current Cluster Option	Proposed Conservation Development
Buffers / Transitions	<ul style="list-style-type: none">• B or C between perimeter cluster lots and adjacent conventional subdivisions• Perimeter lots required to be larger	<ul style="list-style-type: none">• C buffer required when perimeter lot sizes are less than the minimum required in the base zoning• Applies bulk standards of closest equivalent zoning district• No lot size transition required

How Conservation
Development
works on a parcel of
land



Example Site



Existing Conditions

Property Zoned R10 One or Two-Family Residential

Current Minimum Lot Size: 10,000sf

Assume the natural area represents **30%** of this site

-  = Slopes of 20% or greater
-  = Trees

Current Cluster Option



Property Zoned R10 One or Two-Family Residential

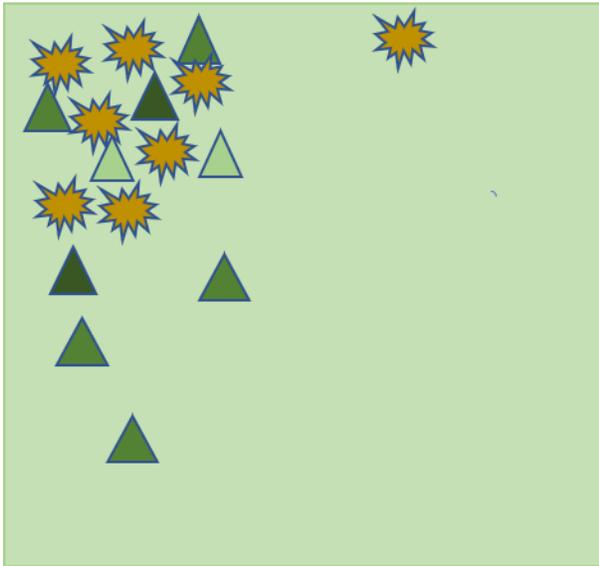
As long as 15% of site is in open space you can reduce lot size down 2 zoning districts

So minimum lot size: 6,000sf

Disturbance of natural area does not affect lot size

No natural area preservation required

Same Example Site



Existing Conditions

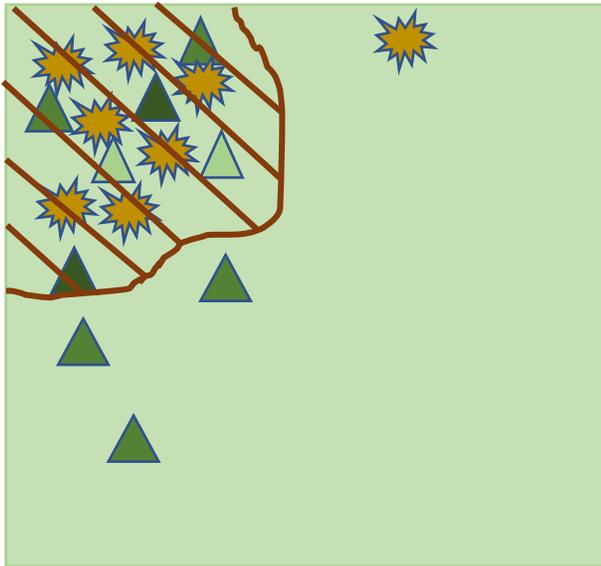
Property Zoned R10 One or Two-Family Residential

Current Minimum Lot Size: 10,000sf

Assume the natural area represents **30%** of this site

-  = Slopes of 20% or greater
-  = Trees

Conservation Development Scenario A



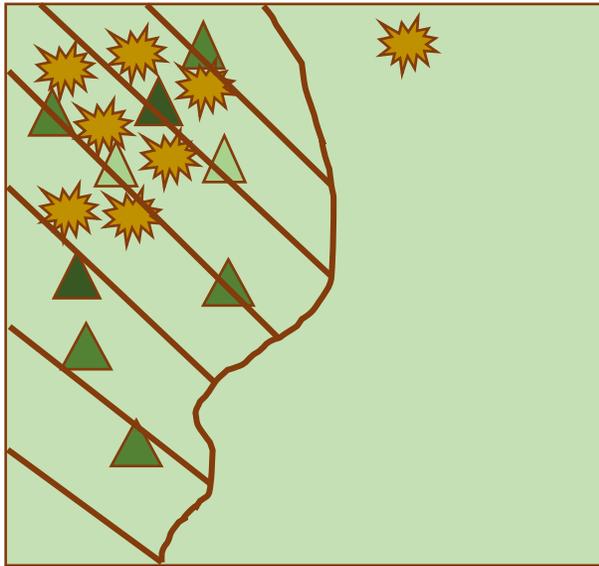
Since there is Natural Area, a minimum of 20% is required to be undisturbed and placed in open space

Lot size may be reduced by **20%**

New Min Lot Size: 8,000 square feet

Any duplex lots required to meet the full minimum lot size of the current zoning, or 10,000sf.

Conservation Development Scenario B



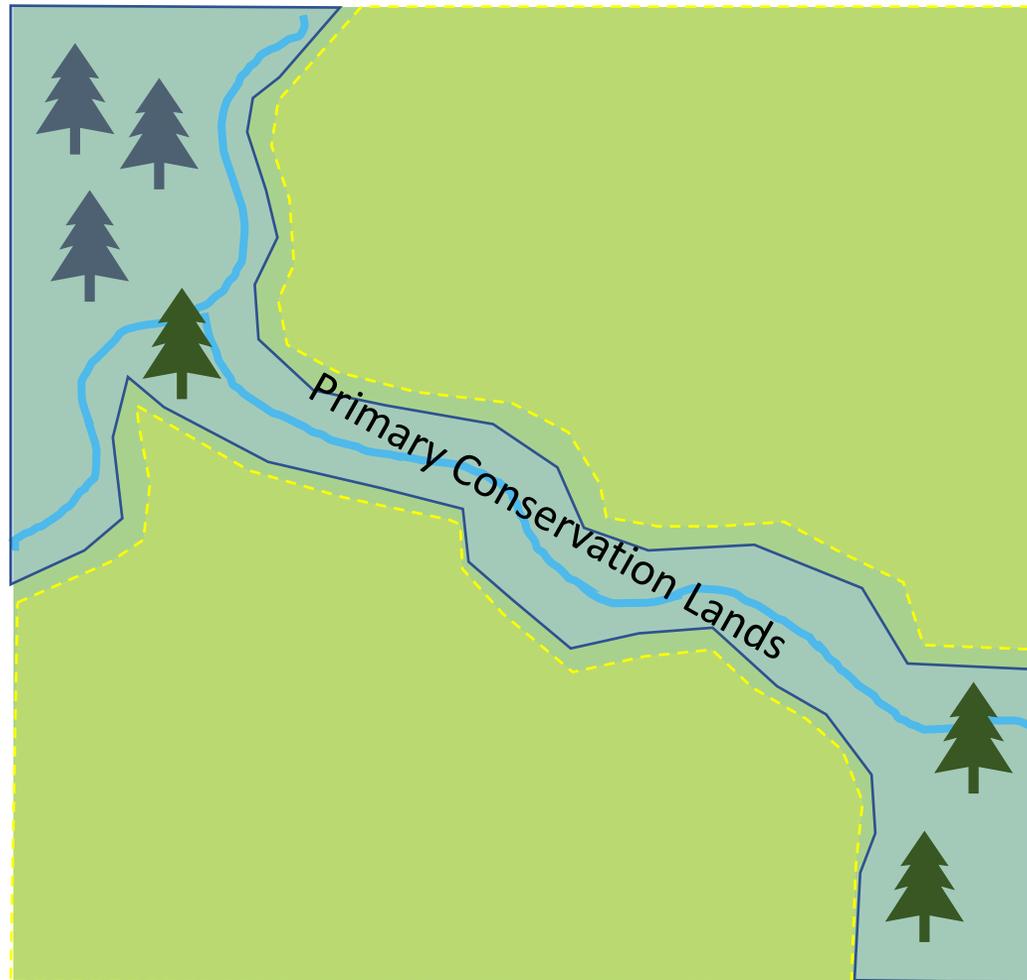
If all **30%** of the Natural Area is undisturbed and placed in open space

Lot size may be reduced by **30%**

New Min Lot Size: 7,000 square feet

Any duplex lots required to meet the full minimum lot size of the current zoning, or 10,000sf.

Example Rural Character Site



Site in T2 Rural policy area

Rural Character Subdivision is required

Zoned Single-Family Residential RS20

Current Min Lot Size: 20,000 square feet

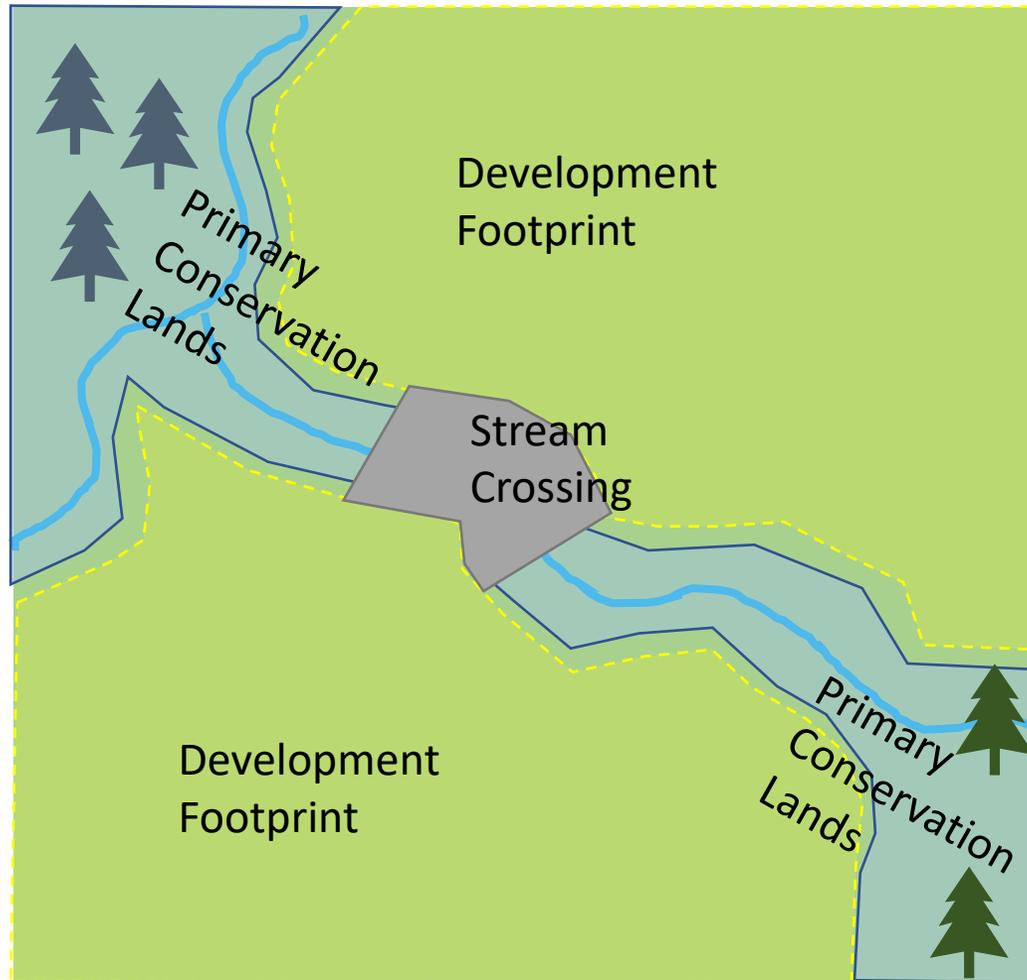
Assume Primary Conservation Lands represents 36% of the site

All Primary Conservation Lands (Natural Area) required to be identified and placed in open space per Rural Subdivision Regulations

 = Stream

 = Trees

Current Rural Character Cluster Option



Zoned Single-Family Residential RS20

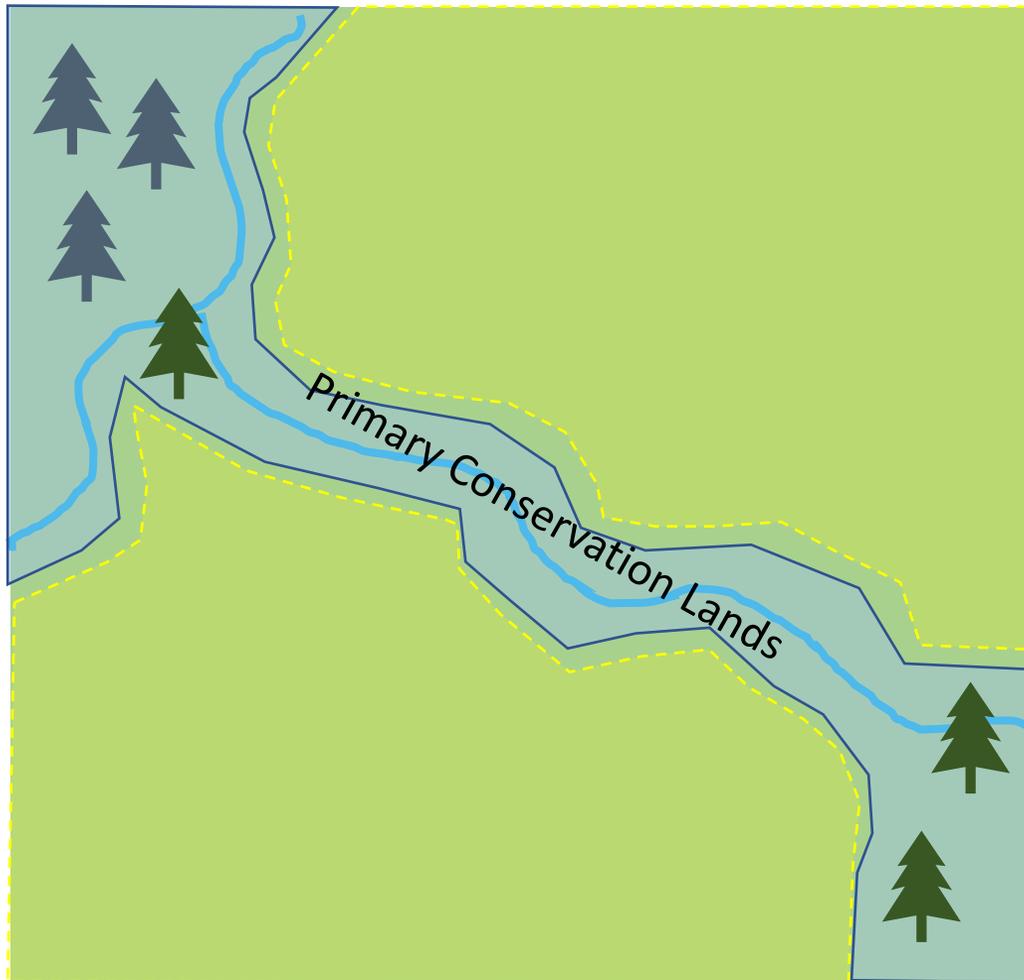
Lot size may be reduced two zoning districts

New Min Lot Size: 10,000 square feet

Disturbance of Conservation Land does not affect lot size

All lots required to be located in the Development Footprint areas, consistent with Rural Character Subdivision Regulation requirements

Same Example Rural Character Site



Site in T2 Rural policy area

Rural Character Subdivision is required

Zoned Single-Family Residential RS20

Current Min Lot Size: 20,000 square feet

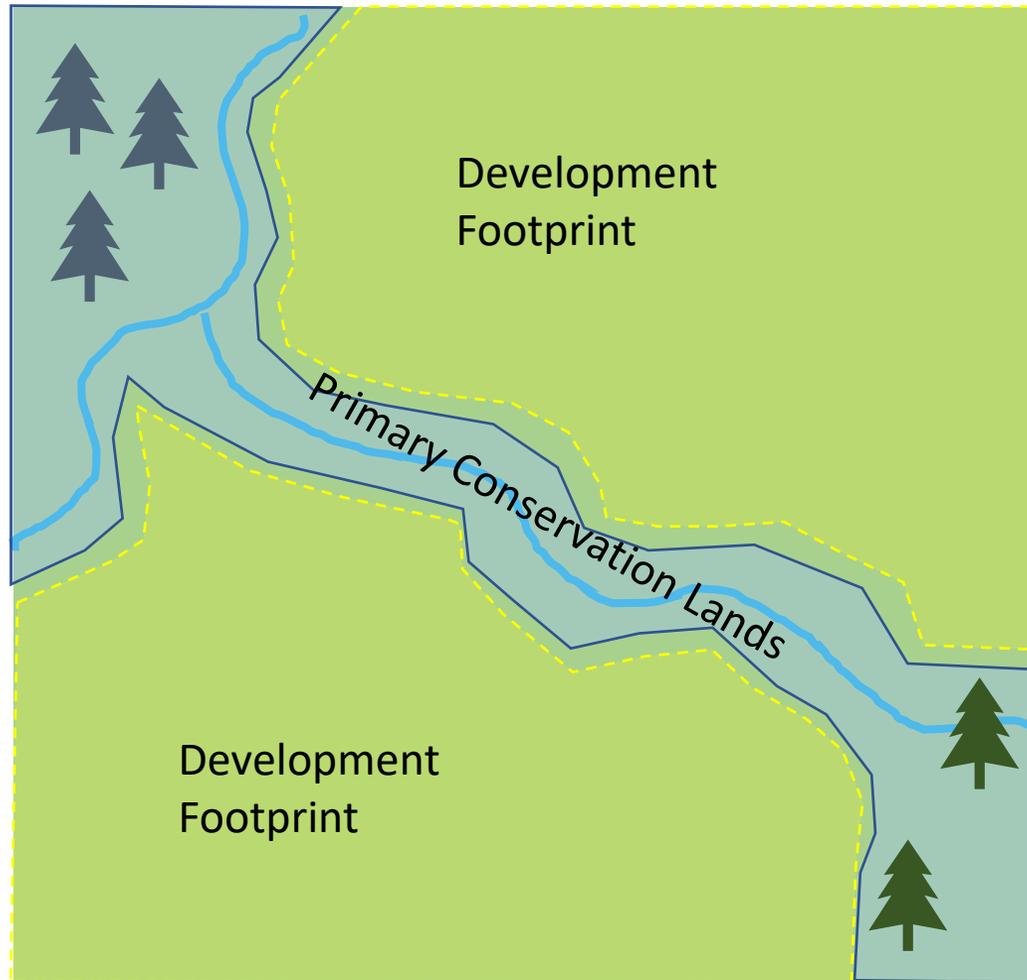
Assume Primary Conservation Lands represents 36% of the site

All Primary Conservation Lands (Natural Area) required to be identified and placed in open space per Rural Subdivision Regulations

 = Stream

 = Trees

Proposed Rural Character Conservation Development Scenario A



If Conservation Land disturbed, it does not count toward lot size reduction

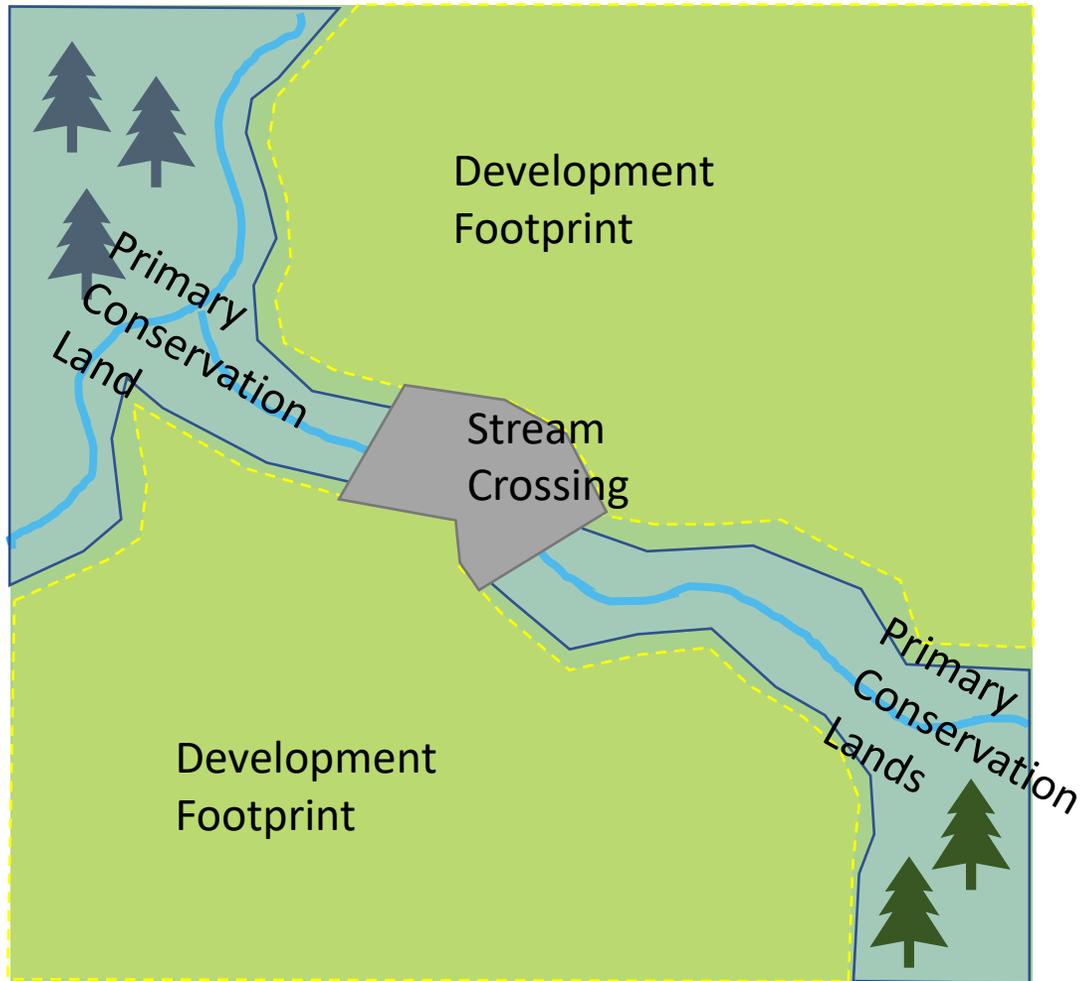
Assume all Primary Conservation Land is undisturbed

Lot size may be reduced 36%

New Min Lot Size: 12,800 square feet

All lots, regardless of size, required to be located in the Development Footprint areas, consistent with Rural Subdivision Regulation requirements

Proposed Rural Character Conservation Development Scenario B



If Conservation Land disturbed, it does not count toward lot size reduction

Undisturbed Conservation Land is 32%

Lot size may be reduced 32%

New Min Lot Size: 13,600 square feet

All lots, regardless of size, required to be located in Development Footprint areas, consistent with Rural Subdivision Regulations requirements

Impacts of Proposed Amendment:

- Protected natural area will remain undisturbed
- In proposed subdivisions, there will be an increase in natural area protection
- Lot size flexibility will be directly linked to conservation of natural areas
- Stormwater features created in open space will not count toward lot size flexibility

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Moving Forward

- Staff is currently gathering public feedback on this draft prior to finalizing the proposal for consideration by the Metro Planning Commission. Input received in the next two weeks will be considered as staff finalizes the draft.
- A proposal to change the Zoning Code requires a recommendation from the Metro Planning Commission, three readings by Metro Council, and approval by Metro Council on third reading.
- The Planning Commission will hold a public hearing on the proposed amendments. Metro Council will also hold a public hearing on the proposed amendments on second reading.
- The dates for these public meetings have not been finalized.



Questions?

Have questions or comments?

Send them to:

molly.pike@nashville.gov